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EXTRAORDINARY

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GOVERNMENT OF PUNJAB

DEPARTMENT OF INDUSTRIES AND COMMERCE

NOTIFICATION

The 29th July, 2020

No. 1957.-In exercise of the powers conferred by section 14 of the Punjab Right to Business Act, 2020 (Punjab Act 1 of 2020) and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules for carrying out the purposes of the said Act, namely:-

RULES

1. Short title and commencement.-

- (1) These rules may be called the Punjab Right to Business Rules, 2020.
- (2) They shall come into force on and with effect from the date of their publication in the Official Gazette.

2. Definitions.-

In these rules, unless the context otherwise requires, -

- (a) “Act” means the Punjab Right to Business Act 2020;
- (b) “Form” means Forms appended to these rules;
- (c) “Government” means the Government of Punjab in the Department of Industries and Commerce;

3. Process for filing of Declaration of Intent.-

- (1) Every new enterprise, willing to avail the Certificate of In Principle Approval to set up its business in the State, shall furnish a duly filled Declaration of Intent to the District Nodal Agency electronically, in the format prescribed in Form - I or Form - II, as specified in section 10 of the Act. All statutory application fee, transaction fee, inspection fee or any other fees chargeable under any Punjab law, notified from time to time, in respect of actions, services and approvals shall be payable online to all the relevant authorities at the time of filing of Declaration of Intent and before the issue of the

“Certificate of In Principle Approval” by the applicant.

- (2) The Declaration of Intent shall be submitted by-
 - (a) the proprietor, in the case of a proprietary enterprise;
 - (b) the authorized partner in the case of partnership enterprise; and
 - (c) the authorized person in the case of other forms of enterprise.
- (3) In case the applicant has filled Declaration of Intent in Form – I, the fee paid would be verified by the concerned department. A Demand Notice for additional fee shall be raised, if the fee paid is found to be lesser than the required fee, within thirty days of issue of the Certificate of In Principle Approval by the concerned department. The Applicant shall pay the additional fee, if any, within sixty days from the date of demand notice through the online portal.
- (4) In case the enterprise intends to commence its commercial operations on more than one premises, a separate Declaration of Intent shall be submitted for each of the premises.

4. Procedure for Grant of Certificate of In Principle Approval.-

- (1) On the receipt of Declaration of Intent in Form - I, the Certificate of In Principle Approval shall be issued in Form - III by the District Nodal Agency within three working days.
- (2) On receipt of Declaration of Intent in Form – II.-
 - (a) the application along with relevant documents shall be circulated to the members of the Scrutiny Committee by the District Nodal Agency, electronically, within two working days;
 - (b) the Scrutiny Committee shall examine and decide upon the applications and send its recommendations to the District Nodal Agency within ten working days;
 - (c) upon receipt of the recommendations of the Scrutiny Committee, the decision to issue a Certificate of In Principle Approval shall be taken by the District Nodal Agency within a period of three working days; and
 - (d) in case the decision to issue the Certificate of In Principle Approval is not taken within the stipulated period, it shall be deemed to have been approved by the District Nodal Agency and an acknowledgment shall be sent to the enterprise automatically by the Online Portal on behalf of the District Nodal Agency in Form - IV.

5. Members of the Scrutiny Committee.-

The Scrutiny Committee specified in section 9 of the Act shall consist of the Deputy Commissioner of the concerned District as Chairman and the following other Officers as its members, namely: -

Serial No.	Particulars	Designation
1	Deputy Commissioner	Chairman
2	General Manager, District Industries Centre-cum-Additional Chief Executive Officer, District Bureau of Enterprise	Member Secretary and Convener
3	Department of Town and Country Planning (State Town Planner or District Town Planner)	Member

4	Department of Local Government (Commissioner of Municipal Corporation or Estate Officer of Municipal Committee or Council)	Member
5	Department of Revenue (District Revenue Officer)	Member
6	Department of Labour (Deputy Director, Factories)	Member

The Chairman may associate any other district officer(s), if considered necessary, to achieve the objectives of the Committee.

6. Power to remove difficulties.-

If any difficulty arises in the application or interpretation of any of provisions of the Act or these rules, the matter shall be referred by the District Nodal agency to the Government through the State Nodal agency, who may grant interpretation and/or clarification of provisions of the Act and rules. The decision of the Government in such matters shall be final.

ALOK SHEKHAR, IAS

Principal Secretary to Government of Punjab,
Department of Industries and Commerce.

The 27th July, 2020

FORM – I**(See rule 3)****DECLARATION OF INTENT**

To be filed by new enterprises being set up on Approved Industrial Park or approved Private Industrial Parks:

Applicant Details

Title

Name of Applicant

Designation

Applicant Photograph

Applicant Signature

Aadhaar Number (attach copy)

Pan Card Number (attach copy)

Applicant Phone Number

Applicant Mobile Number

Applicant Email ID

Address Plot No./Khasra No./House No.

Name of premise/building

Road/Street/Lane

Landmark

Area/Locality

State

District

Classification of Area (Urban/Rural)

Tehsil

Village /Town/City

PIN Code

Enterprise Details

Enterprise Name

Enterprise Type (Micro/Small/Medium)

Major activities of the enterprise

Product(s) to be Manufactured/Service(s)
to be provided

Project Details

Project Name

Project Purpose

Address

Multiple City/Town/Village Involved

Allotment letter of the Designated Authority

Type of Industry

Total Proposed covered area

Ground Floor:

First Floor:

Second Floor:

Basement 1:

Basement 2:

(Add rows for additional floors)

Boundary wall (running feet)

Investment Details

1. Land Cost

2. Building Cost

3. Plant and Machinery Cost

4 Other Fixed Cost

Total Project Cost (1+2+3+4)

Employment Details

Employees

Male

Female

Direct employees

Indirect employees

Total employees

Other Details (to be enclosed)

Ownership Details

Allotment letter or Consent from Owner/lessee
on a stamp paper of Rs. 100**Fees Paid** (attach self-attested photocopies)**Name of Service****Department****Receipt No.****Amount****Date**

Sanction of Building Plans

Housing & Urban

Change of land use

Development /
Local Government

Registration of Trade License

Local Government

Approval of Factory Building

Labour

plan (except for industries

involving hazardous process

as per First Schedule of

Factories Act, 1948)

Undertaking

I residing at declare that I am authorized signatory for M/s, and hereby give the following declaration and undertake that:-

- i. I/We certify that the information furnished in Declaration of Intent under the Punjab Right to Business Act 2020 and the rules made there under is accurate and complete to the best of my/our knowledge & belief and no material information has been concealed.
- ii. I/We have read the Punjab Right to Business Act 2020 and the rules made thereunder and undertake to abide by them. In case of changes in the above details, the same will be intimated to the Nodal agency at the earliest.
- iii. I/We are furnishing the Declaration of Intent for the enterprise which is new enterprise as per definition provided by Punjab Right to Business Rules 2020.
- iv. I/We have not previously availed the “Certificate of In Principle Approval” for the land or building or premise as mentioned in Declaration of Intent.
- v. I/We shall abide by all Laws/Rules in force from time to time and will establish and operate business only in accordance with provisions of Law, Rules & Government instructions.
- vi. I/We shall be responsible to maintain all the safety standards in the operation of the enterprise to ensure the safety and health of the workers, employees etc.
- vii. I/We will not engage in any manufacturing or services activity which is prohibited under any law or which may pose a serious threat to public health law and order.
- viii. I/We will submit the mandatory compliance report(s)/document(s), as required under Acts/Laws/Rules against which, Certificate of In Principal Approval is being provided, within the validity of the certificate.
- ix. I/We shall abide by all the provisions of The Punjab Regional and Town Planning and Development Act, 1995.
- x. **I/We shall abide by all the provisions of relevant acts/rules for building construction, its structural and fire safety.**
- xi. I have paid all statutory application fee, inspection fee or any other fees chargeable under any Punjab law, notified from time to time, in respect of actions, services and approval mentioned above and further undertake to pay additional fees payable as per the provisions, if any.
- xii. **That during the course of validity of the certificate of in-principle approval, I/We shall, at any time but not later than 3 years from the date of issue of the certificate, apply to obtain all applicable regular approvals from the concerned departments through the single window system of Punjab Bureau of Investment promotion (PBIP).**

Digital Signature

Dated:

FORM – II**(See rule 3)****DECLARATION OF INTENT**

To be filed by new enterprises being set up on the land parcels earmarked for industrial use within the master plan with land requirements as notified from time to time:

Applicant Details

Title

Name of Applicant

Designation

Applicant Photograph

Applicant Signature

Aadhaar Number (attach copy)

Pan Card Number (attach copy)

Applicant Phone Number

Applicant Mobile Number

Applicant Email ID

Address Plot No./Khasra No./House No.

Name of premise/building

Road/Street/Lane

Landmark

Area/Locality

State

District

Classification of Area (Urban/Rural)

Tehsil

Village /Town/City

PIN Code

Enterprise Details

Enterprise Name

Enterprise Type (Micro/Small/Medium)

Major activities of the enterprise

Product(s) to be Manufactured/

Service(s) to be provided

Project Details

Project Name

 Project Purpose

 Address

 Multiple City/ Town/Village Involved

 Total Proposed covered area

 Ground Floor:

 First Floor:

 Second Floor:

 Basement 1:

 Basement 2:

 (Add rows for additional floors)

 Boundary wall (running feet)

Investment Details

 1. Land Cost

 2. Building Cost

 3. Plant and Machinery Cost

 4 Other Fixed Cost

 Total Project Cost (1+2+3+4)

Employment Details

 Employees

 Male

 Female

 Direct employees

 Indirect employees

 Total employees

Other Details (to be enclosed)

 Ownership Details

**Title deedor lease deed or Consent from
Owner / lessee on a stamp paper of Rs. 100**

 Requirement of water and waste disposal details

Fee Paid Details *(attach self-attested photocopies)*

Name of Service

Department

Receipt No.

Amount Date

 Sanction of Building Plans

 Housing & Urban

 Change of land use

 Development / Local
Government

 Registration of Trade
License

 Local Government

 Approval of Factory

 Labour

 Building plan (except
for industries involving
hazardous process as per
First Schedule of Factories
Act, 1948)

Undertaking

I residing at declare that I am authorized signatory for M/s, and hereby give the following declaration and undertake that:-

- i. I/We certify that the information furnished in Declaration of Intent under the Punjab Right to Business Act 2020 and the rules made there under is accurate and complete to the best of my/our knowledge & belief and no material information has been concealed.
- ii. I/We have read the Punjab Right to Business Act 2020 and the rules made thereunder and undertake to abide by them. In case of changes in the above details, the same will be intimated to the Nodal agency at the earliest.
- iii. I/We are furnishing the Declaration of Intent for the enterprise which is new enterprise as per definition provided by Punjab Right to Business Rules 2020.
- iv. I/We have not previously availed the “Certificate of In Principle Approval” for the land or building or premise as mentioned in Declaration of Intent.
- v. I/We shall abide by all Laws/Rules in force from time to time and will establish and operate business only in accordance with provisions of Law, Rules & Government instructions.
- vi. I/We shall be responsible to maintain all the safety standards in the operation of the enterprise to ensure the safety and health of the workers, employees etc.
- vii. I/We will not engage in any manufacturing or services activity which is prohibited under any law or which may pose a serious threat to public health law and order.
- viii. I/We will submit the mandatory compliance report(s)/document(s), as required under Acts/Laws/ Rules against which, Certificate of In Principal Approval is being provided, within the validity of the certificate.
- ix. I/We shall abide by all the provisions of The Punjab Regional and Town Planning and Development Act, 1995 and provisions of Master Plan/ Local Planning Area notified under this Act.
- x. **I/We shall abide by all the provisions of relevant acts/rules for building construction, its structural and fire safety**
- xi. I have paid all statutory application fee, inspection fee or any other fees chargeable under any Punjab law, notified from time to time, in respect of actions, services and approval mentioned above and further undertake to pay additional fees payable as per the provisions, if any.
- xiii. **That during the course of validity of the certificate of in-principal approval, I/We shall, at any time but not later than 3 years from the date of issue of the certificate, apply to obtain all applicable regular approvals from the concerned departments through the single window system of Punjab Bureau of Investment promotion (PBIP).**

Digital Signature

Dated:

FORM – III**(See rule 4)****Certificate of In Principle Approval**

M/s has filed a Declaration of Intent under section 10 (1) and (2) of the Punjab Right to Business Act, 2020 to set up a (Manufacturing/Service) enterprise. District Nodal Agency has decided to issue Certificate of In Principle Approval for a period of three years and six months from the date of its issuance as under:

Date of receipt of Declaration of Intent	
Certificate Number	
Date of Issuance	
Validity of certificate	
Name of the Enterprise	
Type of Organization	
Official Address	
Location of Proposed Enterprise	
Name of Applicant	
Aadhar Number of applicants	
Category of Enterprise	
Total employees	
Major activities of the enterprise	
Product(s) to be Manufactured/ Service(s) to be provided	

or

The District Nodal Agency has rejected the issuance of Certificate of In Principle Approval on following grounds:

1.
2.
3.

Dated:

Authorized Signatory

1. The "Certificate of In Principle Approval" is issued under the provision of section 8 of the said Act.
2. Subject to the provisions of the said Act and the rules made thereunder, it entitles the enterprise:
 - i. Approvals under the following Punjab State laws:

Sr. No.	Act	Services
1.	Building Plan, Completion cum occupancy certificate issuance of new trade license under the Punjab Municipal Act, 1911 and the Punjab Municipal Corporation Act, 1976	1. Sanction of Building Plans 2. Issuance of Completion/ Occupation Certificate for Buildings 3. Registration of Trade License
2.	Building Plan and change of land use under the Punjab Regional and Town Planning and Development Act, 1995	1. Sanction of Building Plans 2. Issuance of Completion/ Occupation Certificate for Buildings 3. Change of land use
3.	Provisional Fire No Objection Certificate and Fire No Objection Certificate under the Punjab Fire Prevention and Fire Safety Act, 2004	Application for Fire No Objection Certificate
4.	Factory Building Plan and Factory License under the Punjab Factory Rules, 1952	Approval of Factory Building plan (except for industries involving hazardous process as per First Schedule of Factories Act, 1948)
5.	Registration of Shop or Establishment under Punjab Shops and Commercial Establishment Act, 1958	Registration of Shop or Establishment

- ii. Exemption from inspection for the purpose of, or in connection with above Punjab State laws.
3. This Certificate of In Principle Approval is issued, subject to the following conditions:
 - i. That the enterprise shall abide by the terms and conditions of any Punjab laws in force from time to time applicable during its establishment and operations.
 - ii. The provision of the Punjab Right to Business Act, 2020 and its applicability shall be limited to land or building or premise and the activities mentioned in the Certificate of In Principle Approval.
 - iii. The enterprise shall submit the mandatory compliance report(s)/document(s), as required under Acts/Laws/Rules against which, Certificate of In Principal Approval is being provided, within the validity of the certificate.
 - iv. In case of willful submission of wrong information in Declaration of Intent or breach or contravention of any of the provisions mentioned anywhere in the Act and the rules made there under, the Certificate of In Principle Approval will be revoked as per provisions of the Act and rules made there under.
 - v. The Certificate of In Principle Approval will become void for the enterprise if it ceases to exist due to merger or split or demerger or acquisition of the enterprises or if it ceases to be a Micro, Small or Medium enterprise.
 - vi. During the course of validity of the Certificate of In Principle Approval, the enterprise shall at any time but not later than three years from the date of issue of the Certificate, apply and obtain all applicable regular approvals from the concerned departments through the single window system of Punjab Bureau of Investment Promotion (PBIP).

FORM – IV**(See rule 4)****Certificate of In Principle Approval****Acknowledgment**

M/s has filed a Declaration of Intent under section 10 (1) and (2) of the Punjab Right to Business Act, 2020 to set up a (Manufacturing/Service) enterprise. The Certificate of In Principle Approval is deemed to have been issued by the District Nodal Agency under the sub section (3) of section 10 of the Punjab Right to Business Act, 2020 for a period of three years and six months from the date of its issuance as under:

Date of receipt of Declaration of Intent	
Certificate Number	
Date of Issuance	
Validity of certificate	
Name of the Enterprise	
Type of Organization	
Official Address	
Location of Proposed Enterprise	
Name of Applicant	
Aadhar Number of applicants	
Category of Enterprise	
Total employees	
Major activities of the enterprise	
Product(s) to be Manufactured/Service(s) to be provided	

Dated:

Authorized Signatory

1. The Deemed “Certificate of In Principle Approval” is issued under the provision of section 10 (3) of the said Act.
2. Subject to the provisions of the said Act and the rules made thereunder, it entitles the enterprise:
 - i. Deemed Approvals under the following Punjab State laws:

Sr. No.	Act	Services
1.	Building Plan, Completion cum occupancy certificate issuance of new trade license under the Punjab	1. Sanction of Building Plans 2. Issuance of Completion/ Occupation

	Municipal Act, 1911 and the Punjab Municipal Corporation Act, 1976	Certificate for Buildings 3. Registration of Trade License
2.	Building Plan and change of land use under the Punjab Regional and Town Planning and Development Act, 1995	1. Sanction of Building Plans 2. Issuance of Completion/ Occupation Certificate for Buildings 3. Change of land use
3.	Provisional Fire No Objection Certificate and Fire No Objection Certificate under the Punjab Fire Prevention and Fire Safety Act, 2004	Application for Fire No Objection Certificate
4.	Factory Building Plan and Factory License under the Punjab Factory Rules, 1952	Approval of Factory Building plan (except for industries involving hazardous process as per First Schedule of Factories Act, 1948)
5.	Registration of Shop or Establishment under Punjab Shops and Commercial Establishment Act, 1958	Registration of Shop or Establishment

- ii. Exemption from inspection for the purpose of, or in connection with above Punjab State laws.
3. This Deemed Certificate of In Principle Approval is issued, subject to the following conditions:
 - i. That the enterprise shall abide by the terms and conditions of any Punjab laws in force from time to time applicable during its establishment and operations.
 - ii. The provision of the Punjab Right to Business Act, 2020 and its applicability shall be limited to land or building or premise and the activities mentioned in the Deemed Certificate of In Principle Approval.
 - iii. The enterprise shall submit the mandatory compliance report(s)/document(s), as required under Acts/Laws/Rules against which, Certificate of In Principal Approval is being provided, within the validity of the certificate.
 - iv. In case of willful submission of wrong information in Declaration of Intent or breach or contravention of any of the provisions mentioned anywhere in the Act and the rules made there under, the Deemed Certificate of In Principle Approval will be revoked as per provisions of the Act and rules made there under.
 - v. The Deemed Certificate of In Principle Approval will become void for the enterprise if it ceases to exist due to merger or split or demerger or acquisition of the enterprises or if it ceases to be a Micro, Small or Medium enterprise.
 - vi. During the course of validity of the Certificate of In Principle Approval, the enterprise shall at any time but not later than three years from the date of issue of the Certificate, apply and obtain all applicable regular approvals from the concerned departments through the single window system of Punjab Bureau of Investment Promotion (PBIP).